

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 98, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 taxation and to make an appropriation.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 6-1.1-21.3 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 JANUARY 1, 2008 (RETROACTIVE)]:
- 9 **Chapter 21.3. Payments in Lieu of Property Taxes**
- 10 **Sec. 1. As used in this chapter, "department" refers to the**
- 11 **department of natural resources.**
- 12 **Sec. 2. As used in this chapter, "PILOT" refers to a payment**
- 13 **in lieu of taxes.**
- 14 **Sec. 3. As used in this chapter, "statewide agricultural land**
- 15 **value base" means the statewide land value base for one (1) acre of**
- 16 **agricultural land, as determined by the department of local**
- 17 **government finance and in effect on March 1 of the year**
- 18 **immediately preceding the year in which a PILOT is due and**
- 19 **payable under this chapter.**
- 20 **Sec. 4. (a) This section does not apply to property owned or**
- 21 **leased by the department and used as a state park.**
- 22 **(b) The following are authorized to collect a PILOT from the**
- 23 **department:**
- 24 **(1) A county in which land described in subsection (c) is**
- 25 **located.**
- 26 **(2) A conservancy district in which land described in**

1 subsection (c) is located.

2 (c) The department shall make a PILOT on May 1 and  
3 November 1 of each year with respect to land that is:

4 (1) owned or leased by the department on March 1 of the  
5 previous year; and

6 (2) subject to an exemption from property taxes.

7 Sec. 5. The PILOT paid under section 4 of this chapter equals  
8 the amount of property taxes that would have been levied upon the  
9 land described in section 4(c) of this chapter if the land were  
10 assigned an assessed value equal to the product of:

11 (1) the number of acres included in the parcel of land;  
12 multiplied by

13 (2) thirty-three and one-third percent (33 1/3%) of the  
14 statewide agricultural land value base.

15 Sec. 6. Not later than September 1 of each year, the auditor of  
16 state shall provide the township assessor of each township in which  
17 land described in section 4(c) of this chapter is located with a  
18 report of:

19 (1) the number of acres of land described in section 4(c) of  
20 this chapter that are located in the township; and

21 (2) any other information required by the department of  
22 local government finance;

23 on a form prescribed by the department of local government  
24 finance. However, with the consent of the department of local  
25 government finance, the auditor of state may distribute the  
26 information required under this section in an electronic format.

27 Sec. 7. A PILOT is billed, is due, bears interest if unpaid, and  
28 is distributed to a political subdivision described in section 4(b) of  
29 this chapter in the same manner as ad valorem taxes on property.  
30 A PILOT is treated in the same manner as a property tax for  
31 purposes of the procedural and substantive provisions of law.

32 Sec. 8. The department of local government finance shall  
33 prescribe a form for the transfer of information required under  
34 section 6 of this chapter. The department of local government  
35 finance may adopt standards for the transfer of information under  
36 section 6 of this chapter that are necessary to assist townships,  
37 counties, and conservancy districts with the implementation of this  
38 chapter.

39 Sec. 9. (a) The PILOT transfer account is established within  
40 the state general fund to provide money for the distributions of  
41 PILOTS under section 7 of this chapter. The account is  
42 administered by the auditor of state.

43 (b) Expenses of administering the account are paid from  
44 money in the account.

45 (c) The treasurer of state shall invest the money in the account  
46 not currently needed to meet the obligations of the account in the  
47 same manner as other public money may be invested.

48 (d) Money in the account at the end of a state fiscal year does  
49 not revert to the state general fund.

50 (e) There is annually appropriated from the state general fund

1 to the account the amount necessary to make the distributions  
 2 under section 7 of this chapter.

3 (f) There is continuously appropriated from the account an  
 4 amount necessary to make the distributions under section 7 of this  
 5 chapter.

6 SECTION 2. [EFFECTIVE JANUARY 1, 2008  
 7 (RETROACTIVE)] (a) Notwithstanding IC 6-1.1-21.3, as added by  
 8 this act, a PILOT (as defined in IC 6-1.1-21.3-2, as added by this  
 9 act) is initially due for property taxes first due and payable after  
 10 December 31, 2008.

11 (b) The department of local government finance shall  
 12 prescribe, not later than August 1, 2008, a form for reporting the  
 13 information required under IC 6-1.1-21.3-6, as added by this act.

14 (c) This SECTION expires December 31, 2009.

15 SECTION 3. An emergency is declared for this act.  
 (Reference is to SB 98 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

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LONG, Chairperson